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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)	2:16-CR-033-JCM-(GWF)
)	
Plaintiff,)	
)	
v.)	Preliminary Order of Forfeiture
)	
DMITRIY V. MELNIK,)	
a/k/a Dmitry Melnik,)	
a/k/a Dimitri Melnik,)	
)	
Defendant.)	

This Court finds that defendant Dmitriy V. Melnik, a/k/a Dmitry Melnik, a/k/a Dimitri Melnik, pled guilty to Count One of a Ten-Count Criminal Indictment charging him with Conspiracy to Traffic in Counterfeit Goods and to Introduce into Interstate Commerce Misbranded Devices in violation of Title 18, United States Code, Sections 371 and 2320(a)(1). Criminal Indictment, ECF No. 1; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds defendant Dmitriy V. Melnik, a/k/a Dmitry Melnik, a/k/a Dimitri Melnik, agreed to the forfeiture of the property and the imposition of the in personam criminal forfeiture money judgment set forth in the Plea Agreement and the Forfeiture Allegation of the Criminal Indictment. Criminal Indictment, ECF No. 1; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the

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1 Forfeiture Allegation of the Criminal Indictment and the offense to which defendant Dmitriy V.
2 Melnik, a/k/a Dmitry Melnik, a/k/a Dimitri Melnik, pled guilty.

3 The following money judgment and assets are (1) any article, the making or trafficking of
4 which is, prohibited under Title 18, United States Code, Sections 371 and 2320(a)(1); (2) any
5 property used, or intended to be used, in any manner or part to commit or facilitate the
6 commission of Title 18, United States Code, Sections 371 and 2320(a)(1); and (3) any property
7 constituting or derived from any proceeds obtained directly or indirectly as a result of the
8 commission of Title 18, United States Code, Sections 371 and 2320(a)(1), and is subject to
9 forfeiture pursuant to Title 18, United States Code, Section 2323(b); Title 18, United States Code
10 Section 2323(a)(1) with Title 28, United States Code, Section 2461(c); and Title 21, United
11 States Code, Section 853(p):

- 12 1. 908 boxes (each containing two foils) and 45 single foils of contact lenses labeled
13 as manufactured by Ciba Vision with the brand name FreshLook
14 COLORBLEND, and seized on or about August 21, 2103;
- 15 2. 1627 boxes (each containing two foils) and 23 single foils of contact lenses
16 labeled as manufactured by Cool with the brand name Cosmetic Tornado B, and
17 seized on or about August 21, 2013;
- 18 3. 282 boxes (each containing two foils) of contact lenses labeled as manufactured
19 by Innova Vision with the brand name ColorMaker, and seized on or about
20 August 21, 2013;
- 21 4. 233 boxes (each containing two foils) of contact lenses labeled as manufactured
22 by Innova Vision with the brand name ColorNova, and seized on or about August
23 21, 2013;
- 24 5. 45 boxes (each containing two foils) of contact lenses labeled as manufactured by
25 Innova Vision with the brand name Magic, and seized on or about August 21,
26 2013;

6. 30 boxes (each containing two foils) of contact lenses labeled as manufactured by Innova Vision with the brand name Dragon Gold, and seized on or about August 21, 2013;
7. 62 foils of contact lenses labeled as manufactured by Innova Vision with the brand name Picasso, and seized on or about August 21, 2013;
8. 155 boxes (each containing two foils) of contact lenses labeled as manufactured by Hana Korea, Inc. or Viewell, Inc. with the brand name Jessica, and seized on or about August 21, 2013;
9. 4044 miscellaneous unboxed vials containing contact lenses labeled as manufactured by different companies and with different brand names, including but not limited to Cool, Jessica, Vassen ViviGo, Magic, Cherry Gold, Crazy Smile, Pink Cat, Dead White, Yellow Cat, Magic, and Red Hot, and seized on or about August 21, 2013;
10. 6 bottles of contact lens solution labeled as manufactured by Ciba Vision with the brand name FreshLook, and seized on or about August 21, 2013;
11. Five yellow sealed envelopes bearing return address Candy Ship Dep, PO Box 778002, Henderson, NV 89052 and stamps.com number xxxxxxxxxxx4045, seized on or about August 21, 2013;
12. \$19,000 in cash in Safety Deposit Box 1004 at US Bank, 4550 E. Sunset Rd., Henderson, NV, seized on or about August 23, 2013;
13. \$12,204.02 in cash in Intuit account number xxxxxxxx4513, seized on or about September 16, 2013;
14. \$10,242.50 in cash in Citibank account number xxxxxxxx0481, seized on or about September 13, 2013;
15. \$7,000.63 in cash in Citibank account number xxxxxxxx6513, seized on or about September 12, 2013;

1 16. \$2,384.37 in cash in Citibank account number xxxxxxxx6497, seized on or about
2 September 12, 2013;

3 17. \$1,000 in cash in Safety Deposit Box 263 at Citibank, 495 E. Silverado Ranch
4 Blvd., Las Vegas, NV, seized on or about August 23, 2013; and

5 18. \$877.76 in cash in Intuit account number xxxxxxxxxxxx6508, seized on or about
6 September 16, 2013

7 (all of which constitutes property)

8 and an in personam criminal forfeiture money judgment of \$1,147,290.72, and that the
9 property will not be applied toward the payment of the money judgment.

10 This Court finds the United States of America is now entitled to, and should, reduce the
11 aforementioned property to the possession of the United States of America.

12 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
13 the United States of America should seize the aforementioned property.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the United States
15 recover from Dmitriy V. Melnik, a/k/a Dmitry Melnik, a/k/a Dimitri Melnik, an in personam
16 criminal forfeiture money judgment of \$1,147,290.72.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest
18 of Dmitriy V. Melnik, a/k/a Dmitry Melnik, a/k/a Dimitri Melnik, in the aforementioned
19 property is forfeited and is vested in the United States of America and shall be safely held by the
20 United States of America until further order of the Court.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of
22 America shall publish for at least thirty (30) consecutive days on the official internet government
23 forfeiture website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited
24 property, state the time under the applicable statute when a petition contesting the forfeiture must
25 be filed, and state the name and contact information for the government attorney to be served

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1 with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code,
2 Section 853(n)(2).

3 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or
4 entity who claims an interest in the aforementioned property must file a petition for a hearing to
5 adjudicate the validity of the petitioner's alleged interest in the property, which petition shall be
6 signed by the petitioner under penalty of perjury pursuant to Title 21, United States Code,
7 Section 853(n)(3) and Title 28, United States Code, Section 1746, and shall set forth the nature
8 and extent of the petitioner's right, title, or interest in the forfeited property and any additional
9 facts supporting the petitioner's petition and the relief sought.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be
11 filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, no
12 later than thirty (30) days after the notice is sent or, if direct notice was not sent, no later than
13 sixty (60) days after the first day of the publication on the official internet government forfeiture
14 site, www.forfeiture.gov.

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if
16 any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at
17 the following address at the time of filing:

18 Michael A. Humphreys
19 Assistant United States Attorney
20 Daniel D. Hollingsworth
21 Assistant United States Attorney
22 501 Las Vegas Boulevard South, Suite 1100
23 Las Vegas, Nevada 89101.

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described
25 herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate
26 agency following publication of notice of seizure and intent to administratively forfeit the above-
described property.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies
2 of this Order to all counsel of record and three certified copies to the United States Attorney's
3 Office, Attention Asset Forfeiture Unit.

4 DATED this 8th day of Sept., 2016.

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7 UNITED STATES DISTRICT JUDGE
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